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Docket: 0756-1441

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231, on 23 May 2000 for

Rose M. Fichtel

Rose M. Fichtel

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT application of)
Shunpei YAMAZAKI)
Serial No. 08/558,544) Art Unit: 2811
Filed: November 16, 1995) Examiner: W. Mintel
For: DEVICE FOR READING AN IMAGE)
HAVING A COMMON)
SEMICONDUCTOR LAYER)

23
Letter
FJones
6-13-00

RESPONSE TO NOTICE OF ABANDONMENT

Honorable Assistant Commissioner of Patents

Washington, D.C. 20231

Sir:

On September 29, 1999, the undersigned filed a *Continued Prosecution Application* in response to *Notice of Allowability* dated June 29, 1999, together with the filing fee of \$1,744.00.

The Examiner issued a Notice of Abandonment (copy enclosed) on April 24, 2000 stating that the reason for abandonment is due to the "Applicant's failure to timely pay the required issue fee within the statutory period of three months from the mailing date of the Notice of Allowance."

Enclosed herewith is a copy of the postcard receipt which was filed with the aforementioned *Continued Prosecuted Application*, which receipt card was

stamped by the U.S. Patent and Trademark Office Mailroom on September 29, 1999.

Also enclosed are copies of the aforementioned *Continued Prosecution Application*, together with a copy of cancelled check No. 68752 in payment of filing fee and additional claims.

In view of the above and the enclosed documents herewith, it is believed that the Notice of Abandonment was issued in error. Therefore, it is respectfully requested that the Notice of Abandonment be rescinded and that the Examiner now consider the *Continued Prosecution Application* and *Preliminary Amendment* filed September 29, 1999.

Respectfully submitted,


Eric J. Robinson
Reg. No. 38,285

Nixon Peabody LLP
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McLean, Virginia 22102
(703) 790-9110

SIXBEY, FRIEDMAN, LEEDOM & FERGUSON, P.C.

**8180 GREENSBORO DRIVE, SUITE 800
MCLEAN, VA 22102
703-790-9110**

CRESTAR BANK
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68-107-560

68752

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068752	09/29/99	000101

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**Commissioner of Patents
and Trademarks**

TWO SIGNATURES REQUIRED FOR AMOUNTS OVER \$1000.00

Two signatures required for amounts over \$5000

Rachel E. Sussman

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UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

APPLICATION NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
08/558, 544	11/16/95	YAMAZAKI	S 0756-1441

7542/0424

GERALD J FERGUSON, JR
SIXBEY FRIEDMAN LEEDOM & FERGUSON
2010 CORPORATE RIDGE SUITE 600
MCLEAN VA 22102

EXAMINER

MINTEL, W

ART UNIT

PAPER NUMBER

2811

#21

DATE MAILED: 04/24/00

NOTICE OF ABANDONMENT

This application is abandoned in view of:

- Applicant's failure to timely file a proper response to the Office letter mailed on _____.
- A response (with a Certificate of Mailing or Transmission of _____) was received on _____, which is after the expiration of the period for response (including a total extension of time of _____ month(s)) which expired on _____.
- A proposed response was received on _____, but it does not constitute a proper response to the final rejection.

(A proper response to a final rejection consists only of: a timely filed amendment which places the application in condition for allowance; a Notice of Appeal; or the filing of a continuing application under 37 CFR 1.62 (FWC)).

- No response has been received.

Applicant's failure to timely pay the required issue fee within the statutory period of three months from the mailing date of the Notice of Allowance.

- The issue fee (with a Certificate of Mailing or Transmission of _____) was received on _____.

- The submitted issue fee of \$ _____ is insufficient. The issue fee required by 37 CFR 1.18 is \$ _____.

- The issue fee has not been received.

- Applicant's failure to timely file new formal drawings as required in the Notice of Allowability.

- Proposed new formal drawings (with a Certificate of Mailing or Transmission of _____) received on _____.

- The proposed new formal drawings filed _____ are not acceptable.

- No proposed new formal drawings have been received.

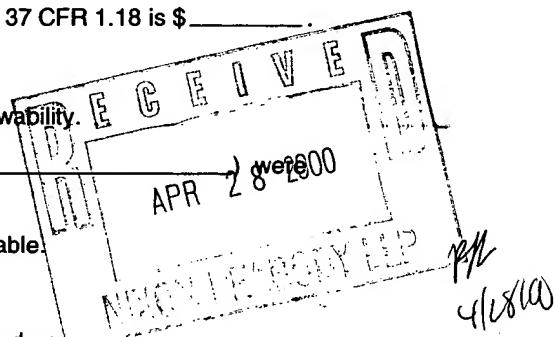
- The express abandonment under 37 CFR 1.62(g) in favor of the FWC application filed on _____.

- The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.

- The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application.

- The decision by the Board of Patent Appeals and Interferences rendered on _____ and because the period for seeking court review of the decision has expired and there are no allowed claims.

- The reason(s) below:



Diane Terry
Allowed Files Branch
703-305-8203



This will acknowledge receipt of the following:

1. Continued Prosecution Application (CPA) Request Transmittal
2. Preliminary Amendment
3. Check No. 68152 in the amount of \$1,744 (\$760 - filing fee; \$984 claims)

In re PATENT application of:

SHUNPEI YAMAZAKI

Serial No. 08/558,544

Filed: 11/16/1995

Due Date: 09/29/1999

For: DEVICE FOR READING AN IMAGE HAVING A COMMON SEMICO
LAYER

Docket: 0756-1441

EJR/EJR/rmf

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SIXBEY, FRIEDMAN, LEEDOM & FERGUSON, P.C.

8180 GREENSBORO DRIVE, SUITE 800

MC LEAN, VA 22102

703-790-9110

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ALEXANDRIA, VIRGINIA
68-107-560

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ONE THOUSAND SEVEN HUNDRED FORTY-FOUR AND*****
00/100 DOLLARS*****

CHECK AMOUNT
*****1,*****

Commissioner of Patents
and Trademarks

TWO SIGNATURES REQUIRED FOR AMOUNTS

Lacelle E. Sosa

TO THE
ORDER
OF

0756-1441

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SHUNPEI YAMAZAKI

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Due Date: 09/29/1999

For: DEVICE FOR READING AN IMAGE HAVING A COMMON SEMICONDUCTOR LAYER



Docket: 0756-1441

EJR/EJR/rmf

September 29, 1999
HAND DELIVERY

